

United States Environmental Protection Agency (US EPA):

The EPA has responsibility for assuring the safety of human health as well as protection of the environment. EPA provides environmental training and conducts research to solve environmental problems. EPA provides the Co-Chair of the Region 6 standing Regional Response Team, a group federal agencies that support a response, and provides pre-designated On-Scene Coordinators for the inland zone. The Coast Guard is the other Co-Chair. EPA is responsible for providing expertise regarding ecological and environmental effects of pollution releases and environmental pollution control techniques.

As described in the National Contingency Plan (Federal Regulation under the CERCLA statute), EPA is required to prepare for and respond to any release or threat of release of oil, hazardous substances, pollutants, or contaminants into the environment that may present an imminent and substantial threat to public health or welfare and the environment.

Below is a summary of EPA authorities:

EPCRA (Emergency Planning and Community Right-to-Know Act) requires that facilities which must prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970 must submit a MSDS and Tier I/II inventory form for each such chemical to the appropriate Local Emergency Planning Committee (LEPC), the Fire Department with jurisdiction over the facility, and the State Emergency Response Commission (SERC). Texas Division of Emergency Management is SERC chair in Texas.

Section 311 of EPCRA requires a one-time submittal of the MSDSs or a list thereof and Section 312 requires annual reporting of chemical inventories. These submittals are required annually by March 1st if an Extremely Hazardous Substance (EHS) is stored on site at any one time during the prior calendar year at or above 500 pounds or at that chemical's Threshold Planning Quantity (TPQ) – whichever is lower.

For all other hazardous chemicals (non-EHSs) the threshold amount is 10,000 pounds.

Section 304 of EPCRA requires facilities to report accidental releases of certain chemicals, when released above a "reportable quantity" to the State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC) in which the release occurred.

Section 103 of CERCLA requires facilities to report accidental releases of certain chemicals, when released above a "reportable quantity" to the National Response Center operated by the US Coast Guard.

Section 106 of CERCLA provides that EPA may require response actions when it finds that there may be an ISE to the public health or welfare or the environment because of an actual or threatened release of a hazardous substance from a facility.